

# **I'D REALLY LIKE TO KNOW JUST WHAT THE HELL THE ARRL ADMINISTRATION WAS THINKING IN SUBMITTING BOTH A PETITION AND REQUEST FOR STAY ONLY 4 DAYS BEFORE THE LEGAL IMPLEMENTATION OF R&O 06-149.**

To do this with four days before any R & O becomes effective is almost unconscionable.

But to do it for a very small minority (Pactor III users) IS most unconscionable, especially since it is at best a most thinly veiled attempt to extol Pactor III along with the previous filing to amend 97.3 (b) (c)(2) with reference to data definitions in order to permit Pactor III's almost 3000 Hz bandwidth (this is "narrowband"?). Yet it would seem that this is this organization's obvious way to go, since Pactor III is the ARRL's current choice of the best thing since sliced bread. Yet you do not seem to understand that the vast majority of hams within the ARRL (and the 75% of hams that are non-members) do not use HF digital, even though you use the verbiage "or planning to conduct or use" many times in those pleadings. (Ah yes, always invoke the future, no matter how tenuous your information may be, since Congress usually only knows what is fed to them.)

There is much debate, both on the air and on newsgroups, regarding the plusses and minuses of Pactor III. Although I do not use HF digital, I lean toward the negative having read Skip Teller's (and others) writings. I would also refer you to comments on the SPAR and QRZ websites, among others.

Specifically, since I am an ARRL member, I request, in a timely manner, details on your use of the following phraseology.

## **PETITION FOR PARTIAL RECONSIDERATION**

Preamble: Sentence 4 "and growing numbers" Does this allude to growing numbers of hams or only to those who "might" get involved in HF data? How many once in HF data have dropped out of it?

## **I INTRODUCTION**

### **Paragraph**

**1**

Sentence 5 "facilitate emergency communications" Isn't this part of 97.1(a)?  
Sentence 2 Pactor II is not the major emergency communications mode.

**2**

Sentence 1 "otherwise" Please state your sources; I did not see any in the FCC Daily Digests.

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Sentence 1 “substantial” Who’s opinion is this; the ARRL administration or ham radio in general?

How was it determined that the FCC “clearly” did not intend...?

Sentence 2 Herein begins the litany of “automatically controlled, narrow-bandwidth...”

Sentence 4 Save Pactor III

II THE EXPANSION...WAS GREATER...

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Sentence 2 ARRL survey responses were about 4500 more than those on the NPRM. One wonders why they didn’t make comments to the FCC.

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Sentence 3 Phone is “one of the most popular operating modes on HF”. With reference to the relative numbers of phone users, shouldn’t the ARRL be defending that mode instead?

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Sentences 2, 3 “Only ten” wanted a lower phone band edge than proposed and 6 wanted 3.600. Hasn’t the ARRL used low numbers to justify it’s position in the past?

Sentence 6 “reasoned opinion” Try reading some of the responses to 05-235 by the same people.

Regarding “tradeoff”, life, per se, is and will continue to be, a tradeoff.

Remember, the FCC can (and will) do what it wants in the end result, including deregulation. (Remember 11 meters by any chance?)

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Sentence 1 Specifically, how are the opinions of these six logically flawed?

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As an aside, I just talked to the EC for Clark County, who has been in this area and ARES for more years than some can count, and he does not know of David Schmidt. Of course, it is assumed that Mr. Schmidt is involved in some other aspect of emergency communications in this area.

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Sentence 7 Please define what your “substantial” number means  
And the last phrases again imply Pactor III.

### III THE COMMISSION SHOULD...

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Sentence 1 How can the fix be equitable if only Extra's lose privileges with this proposal?

"slight extent" See above.

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Sentence 1 Interesting wording; is this legalese for "Well, we tried but lost. At least we tried." in order to appease the Pactor III factor?

Sentence 2 It is very interesting that more "mobile facilities" would be affected than "fixed". Or does mobile include maritime? To me data modes include keyboarding somehow, which is dangerous at best and probably illegal when operating a motor vehicle. Compare this with VHF/UHF mobiles using the ubiquitous hand-held (AKA Shack-on-a Belt).

Sentence 9 Mr. Reimer's comments show a high bias toward ARRL's Emergency Communications and are therefore highly biased toward their darling, Pactor III.

### PETITION TO STAY...

Preamble Please define "minor portion" when over 110,000 Extras would be affected.

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Sentence 3 "growing number of ... licenses". Hamdata.com shows a slow decline in overall numbers.

Sentence 4 "used in emergency and disaster relief" could imply the sole use to a person not conversant with ham radio.

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Sentence 1 Who determines these merits?

Sentence 2 The FCC is not required to explain its actions to the satisfaction of everyone.

Sentence 11 Please define "ample evidence"

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Sentence 1 Specifically, how will "irreparable harm" really occur?

Sentence 2 It is somewhat interesting that many mariners have gotten their license primarily (if not solely) for the purpose of using Pactor (preferably P III) on the high seas. How does this comport with 97.113 (5) and perhaps (3) What similar commercial services are available?

Sentence 3 No one was deprived from responding; I've seen foreign individuals comment on our rule making.

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Sentence 1 No harm?? Extra's would lose 35 kHz.

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Sentence 1 What constitutes "public interest" in this matter? Is it the petitioner or all hams?

Sentence 7 How was "urgent manner, which..." determined. It implies that if the matter is not settled to the satisfaction of the petitioner, then all emergency communication will necessarily cease.

There is no specific mention of 3.600 to 3.620 MHz, which is immediately below the automatic data band. Will this be used for Extra phone, thereby cutting the losses to half? Or will it stay as is? Some countries have those band plans. The petitioner sure didn't explain this

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And, since the Extra is supposed to be the top grade of license, why weren't cuts made from the other classes?

By the way, the FCC has stated that only one test, Element 4, separates the Advanced and Generals from the Extra.

Have you, the administration, considered the possible harm to the outcome of 05-235 by this action? It would seem that there were only about 150 responses to the FCC on 04-140. Contrast this with the 3750+ responses to 05-235; this is a 25:1 ratio and extrapolate the relative time that will be taken to get to the resolution IF nothing has been done to incur the ire of the FCC. It would seem that various parties, including the ARRL, rushed the FCC into coming out with this R & O.

And have you considered that this may be an indication that the FCC will do away with code, necessitating even wider phone bands? Then to deregulation and ...??